

Austin & Rogers, P.A.

ATTORNEYS AND COUNSELORS AT LAW

C.C. HARNESS, III
(1949-2010)

TIMOTHY F. ROGERS
RAYMON E. LARK, JR.
RICHARD L. WHITT
EDWARD L. EUBANKS
W. MICHAEL DUNCAN

COLUMBIA OFFICE:
CONGAREE BUILDING
508 HAMPTON STREET, SUITE 300
POST OFFICE BOX 11716
COLUMBIA, SOUTH CAROLINA 29201
TELEPHONE: (803) 256-4000
FACSIMILE: (803) 252-3679
WWW.AUSTINROGERSPA.COM

OF COUNSEL:
WILLIAM FREDERICK AUSTIN
JEFFERSON D. GRIFFITH, III*

* ALSO ADMITTED IN N.C.

December 22, 2015

VIA, ELECTRONIC FILING

The Honorable Jocelyn Boyd
Chief Clerk and Administrator
The Public Service Commission of South Carolina
101 Executive Center Drive
Columbia, South Carolina 29210

Re: • **Docket Number 2015-8-E**
• **Petition to Intervene**

Dear Ms. Boyd:

Enclosed for filing is Petitioner's SC Solar Development, LLC's Petition to Intervene, Coversheet and Certificate of Service.

All parties of record have been served. Please notify the undersigned if you there is anything else you may need.

Respectfully Submitted,

/S/_____
Richard L. Whitt

RLW/cas

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2015-8-E**

IN RE: Duke Energy Progress, Incorporated's)
Integrated Resource Plan (IRP))
)
)
)
)

**PETITION
TO
INTERVENE**

INTRODUCTION

A filing was made in Commission Docket 2015-8-E, on October 30, 2015, by Duke Energy Progress, LLC (“DEP”), formerly known as, “Duke Energy Progress, Incorporated”. Petitioner herein is SC Solar Development, LLC. This Petition to Intervene is filed pursuant to R. 103-825, of this Commission’s Rules and Regulations and other applicable Rules and Regulations of this Commission, and Petitioner seeks permission to intervene and be made a party of record in the above-referenced Docket, with full rights of participation. This Petition to Intervene follows:

PETITIONER

SC Solar Development, LLC.

1. SC Solar Development, LLC, (“SC Solar Development”) is a South Carolina Limited Liability Corporation, duly organized and authorized to conduct business in the State of South Carolina, with its registered agent located in Greenville, South Carolina. SC Solar Development, LLC is a wholly owned subsidiary of National Renewable Energy Corporation (“NARENCO”).

2. SC Solar Development, as a wholly owned subsidiary, operates under the business model of NARENCO. NARENCO is a vertically integrated Solar Company with in house design, engineering, procurement, construction developer, financier, and Operations and Maintenance provider. NARENCO, through its subsidiaries, including SC Solar Development, controls a pipeline of approximately 500 MW in South Carolina, has built nearly 100 MW of solar to this date, and has approximately 800 MW pipeline across the southeast.

Request for Intervenor Status.

3. Petitioner, SC Solar Development recently intervened in another Commission Docket, Docket No. 2015-362-E. This Commission approved SC Solar Development's Petition to Intervene in that Docket, by its' Directive Order No. 2015-833, on December 2, 2015.

4. SC Solar Development is financially impacted by DEP's filing, as is outlined in more detail hereinbelow.

5. Specifically, Petitioner plans to conduct, business in DEP's assigned territory, including sales to DEP's Consumers and Petitioner SC Solar Development has a material interest in DEP's filing.

DEP'S Filing.

6. DEP's filing was made pursuant to § 58-37-40, S.C. Code Ann., (1976, as amended). DEP's filing is DEP's annual update to its Integrated Resource Plan, ("IRP").

7. DEP's annual IRP filing outlines potential infrastructure which will be needed to match DEP's forecasted electricity requirements.

8. As outlined hereinabove, Petitioner, SC Solar Development has substantial business interests in DEP's assigned territory in South Carolina.

9. Petitioner's position is that SC Solar Development has a direct and substantial interest in the decision to be made by this Commission in this Docket, concerning this Commission's review of DEP's filing in South Carolina and Petitioner's interests cannot be adequately addressed by any other party. Petitioner's further position is that Petitioner SC Solar Development will be impacted by DEP's IRP planning, which necessarily influences DEP's decision making, concerning demand-side and supply-side resources and those decisions impact the cost of electricity for South Carolina consumers. Therefore, the specifics of DEP's IRP are important to the Petitioner from a financial standpoint. Petitioner's further position is that Intervention will aid this Commission, by assisting in the development of a full and fair record to address the important issue raised in this Docket. As shown above, Petitioner has a direct and material interest in DEP's filing, and this Commission's review and Petitioner's interests are not adequately represented by the current parties in this Docket.

10. This Commission contemplated intervention in IRP filings, as stated in this Commission's Order No. 2012-95. This Petition to Intervene is timely filed with this Commission.

11. Furthermore, Petitioner's Intervention is consistent with this Commission's long standing policy, "...in encouraging maximum public participation in issues before this Commission, and [Intervention] should be allowed so that a full and complete record... can be developed." (Order No.: 2005-725, in Docket No.: 2005-270-G, dated December 16, 2005).

12. Petitioner should be allowed to intervene in this Docket, with full rights of cross examination, discovery and participation in any Hearing to be scheduled in this Docket.

PETITION TO INTERVENE

13. The granting of SC Solar Development's Petition to Intervene is (i) in the public interest and (ii) consistent with the policies of this Commission in encouraging maximum public participation in issues before it and intervention should be allowed so that a full and complete record addressing its views and concerns can be developed.

14. SC Solar Development, LLC is represented by counsel in this proceeding:

Richard L. Whitt
AUSTIN & ROGERS, P.A.
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
Telephone: (803) 251-7442
Facsimile: (803) 252-3679
RLWhitt@AustinRogersPA.com

WHEREFORE, Petitioner prays for the following relief:

(a) That this Petition to Intervene be accepted and that Petitioner be made a party of record;

(b) That Petitioner be allowed to participate fully in this proceeding and take such positions as it deems advisable; and

(c) For such other and further relief as is just and proper.

[Signature Page Follows]

Respectfully Submitted,

/S/

Richard L. Whitt

AUSTIN & ROGERS, P.A.

508 Hampton Street, Suite 300

Columbia South Carolina, 29201

803-251-7442

Counsel for Petitioner, SC Solar Development, LLC

December 22, 2015

Columbia, South Carolina

**BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2015-8-E**

IN RE: Duke Energy Progress, Incorporated's
Integrated Resource Plan (IRP)

)
)
)
)
)
)

CERTIFICATE OF SERVICE

I, Carrie A. Schurg, an employee of Austin & Rogers, P.A., certify that I have served copies of the Coversheet, Petitioner, SC Solar Development, LLC's Petition to Intervene and this Certificate of Service, as indicated below, via electronic mail on December 22, 2015.

(1) Heather S. Smith

Email: Heather.smith@duke-energy.com

(2) J. Blanding Holman, IV

Email: Bholman@selcsc.org.com

(3) Michael K. Lavanga

Email: Mkl@smxblaw.com

(4) Robert R. Smith, III

Email: robsmith@mvalaw.com

(5) Shannon Bowyer Hudson

Email: shudson@regstaff.sc.gov

/S/ _____
Carrie A. Schurg

December 22, 2015
Columbia, South Carolina